

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

TERRILEE ONEY,

Plaintiff,

v.

ORDER
12-CV-872A

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

The above-referenced case was referred to Magistrate Judge Hugh B. Scott, pursuant to 28 U.S.C. § 636(b)(1)(B). On September 10, 2013, Magistrate Judge Scott filed a Report and Recommendation, recommending that the decision of the Commissioner be reversed and the matter remanded for further administrative proceedings. In addition, the Magistrate Judge recommended that defendant Commissioner's motion for judgment on the pleadings be denied and plaintiff's motion for similar relief in her favor be granted.

The Court has carefully reviewed the Report and Recommendation, the record in this case, and the pleadings and materials submitted by the parties, and no objections having been timely filed, it is hereby

ORDERED, that pursuant to 28 U.S.C. § 636(b)(1), and for the reasons set forth in Magistrate Judge Scott's Report and Recommendation, the decision of the Commissioner is reversed and the matter is remanded to the Commissioner for further administrative proceedings. In addition, defendant Commissioner's motion for judgment on the pleadings is denied and plaintiff's motion for similar relief in her favor is

granted.

The Clerk of Court shall take all steps necessary to close the case.

SO ORDERED.

s/ Richard J. Arcara

HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: September 30, 2013